

Petition Requirements

Section 11. The petition shall be in the form designated as Appendix B to this charter, and shall include the following information for each person signing:

1. signature
2. printed name
3. current address

All signatures need not be on the same sheet of paper but at least one of the circulators of each sheet must make an oath before an officer competent to administer oaths, such as a notary public, that the statements made are true and that each signature on the sheet is the genuine signature of the person it purports to be.

Referendum Procedures

Section 12 The requirements enunciated in Section 4 through Section 9, shall apply to the referendum process, as far as possible, with such minor changes as may be necessary.

The Meaning of Recall

Section 13. The holder of any elective office may be removed at any time by the citizens qualified to vote for a successor of such incumbent in accordance with the following procedures, except that, no recall petition shall be filed against any officer until the officer has held office for at least six (6) months. This is the power of recall.

Recall

Section 14. One or more qualified voters, who are constituents of the officer whose recall is proposed shall certify to the city administrator the name of the officer whose removal is sought; shall include allegations of malfeasance or non-feasance in a statement of the grounds for removal, in not more than five hundred (500) words; and shall present a petition signed by a number of qualified voters equal to 20% of the registered voters registered as of the day of last general election for said officer's constituency. A qualified voter does not have to be a registered voter but must be eligible to be registered as a voter in the city and must be a constituent of the officer whose recall is proposed.

Petition Requirements

Section 15. The petition shall be in the form designated as Appendix C, to this charter, and shall include the signature, printed name, and current address for each person signing. A copy of the certificate, identical to that submitted to the city administrator shall be attached to each petition and no signatures shall be collected prior to attachment of said certificate.

All signatures need not be on same sheet of paper but at least one of the circulators of each sheet must make an oath before an officer competent to administer oaths, such as a notary public, that the

statements made are true and that each signature on the sheet is the genuine signature of the person it purports to be.

Processing of Petitions

Within 10 business days of receiving a petition including the necessary number of signatures, the city administrator shall determine if the petitions are sufficient by verifying names and addresses of the signers, verifying the oaths of circulators, and verifying that the requisite number of names are listed. The city administrator shall then certify the petitions.

If the petitions are certified to be insufficient, the voters shall have 10 business days to amend from the date the petitions are certified by the city administrator. The conditions of sufficiency are in the first paragraph of this section, and include the names and addresses of the signers, the verified oaths of the circulators and the requisite number of names. The city administrator then has an additional 10 business days to certify the amended petitions. The voters may attempt to amend the petitions twice without prejudice. If unable to amend the petitions, the voters must start the process anew.

If the petitions are sufficient, the city administrator shall submit the proposed ordinance to the council without delay at the next regularly scheduled council meeting at which the council is authorized to take action. If the officer sought to be removed does not resign within five (5) business days, the council shall set a date for a recall election.

Election Requirements

Section 17. If a general election is within ninety (90) calendar days, the council shall submit the recall to the voters at that next general election. If there is not a general election within ninety (90) calendar days, the council shall order a special election to be held within statutory time limits of special election laws and not more than 60 calendar days after the date of final action by the council. Not more than one special election for a recall petition may be held in any period of six months.

Election Call Requirements

Section 18. In the call for the election, there shall be given the statement of the grounds for the recall of the officer, as set forth in the certificate attached to the petition. The call shall also set forth, in not more than five hundred (500) words, a statement of the officer sought to be removed explaining his or her position on the grounds for recall.

Ballot Requirements

Section 19. The ballot used when voting upon in such election shall state, "Shall (name of elected official) be recalled?" with voters allowed to vote yes or no.

Publishing Requirements

Section 20. The city administrator shall publish notice of the time and place of said election by publishing the election call, including the title of the office of the recalled officer, in the official newspaper of the city, at least 10 business days prior to the election.

Election Results

Section 21. If a majority of the qualified voters vote in favor of the recall of said officer, the officer shall be removed from office immediately. The vacancy shall be filled according to Chapter II, Section 6 of this charter.

CHAPTER X, Police Department

Organization

Section 1. There shall be maintained in the city, a police department. The Police Department shall be subject to the provisions of this charter, and all applicable ordinances, and state and federal statutes, rules and regulations.

The police department shall be administered in the same manner as other departments of the city.

The police department as here established, may not be abolished, nor may its duties, powers, or responsibilities, be transferred, assigned or given to any other agency or unit of government, without the same having been first submitted to the qualified voters of the city and adopted by a majority voting at such election on the question.

Rules-By Whom Made

Section 2. The chief of police is authorized and required to make all needful rules and regulations not inconsistent with this charter, the laws of this state, and the ordinances of this city, for the governing and control of the police department. All rules and regulations shall be put in writing.

CHAPTER XI, Fire Department

Chief of the Fire Department

Section 1. There shall be a volunteer fire department in the city of Two Harbors.

The fire department shall be administered in the same manner as other departments of the city.

Rules and Regulations

Section 2. The chief of the fire department is authorized and required to make all needful rules and regulations, not inconsistent with the laws of the state, the provisions of this charter, or the ordinances of the city, for the government and control of the fire department, and for the prevention and extinguishment of fires. All rules and

regulations made in pursuance thereof shall be in writing, signed by the aforesaid officer, and shall be filed in the office of the city administrator, and shall be binding upon all persons connected with said department.

Fire Alarm and Other Property

Section 3. The city council shall provide for the establishment and maintenance of a fire alarm system, for the purposes of the fire department; and provide for the purchase of such apparatus as may be necessary. The city council shall also provide for the sale, or disposal, of any property no longer necessary for the use of the department, and the proceeds thereof shall be paid over to the city .

CHAPTER XII, Library Board

Power to Maintain Libraries

Section 1. The city council shall have power and authority to establish, fund, and maintain within the city, libraries, reading rooms, galleries of art and museums.

Library Board, Appointments, etc.

Section 2. There shall be maintained in the city a library board which shall consist of nine directors who shall hold office for the term of three years, or until their successors are elected or appointed and duly qualified. Directors will not be eligible to serve more than three consecutive terms.

Annually the mayor, by and with the advice and consent of the city council, shall appoint three directors as members of the library board to serve for the period of three years. The majority of directors shall be chosen from the citizens of the city at large, without reference to sex or political opinions but with reference to their fitness for said office, and not more than one member of the city council or county board shall at any time be a member of said library board.

Removals, Vacancies, Compensation

Section 3. The mayor, by and with the consent of the council, may remove any director for misconduct or negligence of duty, and vacancies in the board of directors occasioned by removals, resignation, death or otherwise, shall be reported to the mayor and be filled in like manner as the original appointment, but appointments to fill vacancies shall be for the unexpired term. No director shall receive any compensation as such.

Organization of Board

Section 4. At the organizational meeting of each year the members of said library board shall meet and organize by the election, from their own number, of a president, a vice president, a secretary, and such other officers as the board may deem necessary.

Manage and Control Funds

Section 5. The library board shall be a department of the city government and shall have the exclusive management and control of the expenditure of all moneys collected and received on account of the library fund.

Custody of Library Building and Property

Section 6. Such board shall also have exclusive control and supervision of the construction of any library building as well as the control, care and custody of all grounds, rooms or buildings held, leased, constructed or set apart for such purpose, and the books, papers and other personal property there placed and kept; shall have the power to acquire by lease and provide appropriate rooms for the use of said library; shall have the power to appoint a suitable librarian and necessary assistants and fix their compensation. Said board shall have power, when authorized by the city council, to purchase grounds and erect thereon a suitable building for the use of said library.

Orders for the Payment of Money

Section 7. All orders for the payment of money for this department shall be authorized and allowed by said board by a majority vote of all its members, taken by a voice vote of "yes" or "no," and entered upon the record of its proceedings, and shall be signed by the president and attested by the; secretary, and thereupon such orders shall be paid by the city finance director.

Reports

Section 8. The library board shall make an annual report to the city council stating the condition of their trust. The deadline for this annual report shall be consistent with the statutory deadline for filing of a financial report with the Department of Education. The report shall include the various sums of money received from the library fund and other sources, and how much moneys have been expended and for what purposes; the number of books and periodicals and other lending materials on hand; the number added during the year; the number lost or missing; the number of persons attending; the number of books and items loaned out; the number of books and lending items withdrawn; and such other statistics, information and suggestions as they may deem of general interest.

Libraries and Reading Rooms, Free

Section 9. Every library and reading room, or either of these, established under this charter, shall be forever free for use, always subject to such reasonable rules and regulations as the library board may adopt; and said board may exclude from the use of said library and reading rooms, or either of these, any and all persons who shall willfully violate such rules.

About this version of the charter

The Charter Commission, with membership changes over the years, convened in the 1990's to update the Charter for the 21st century. After a slow start and little progress, the Commission finally found its gait, and made quick strides towards a shorter document. Material which had been retained for its historical interest or novelty was eliminated. Changes in the way the city did its business, along with changes in laws at various levels, mandated further additions to, or subtractions from, the charter. An effort was also made to produce a more readable document for the average citizen.

.....
.....

Appendix "A" Initiative Petition

Proposing an ordinance to
(stating the purpose of the ordinance,) a copy of which ordinance is
hereto attached. This ordinance is sponsored by the following eligible
voters:

Name and address

1
2
3
4
5

The undersigned voters, understanding the terms and nature of the
ordinance attached, petition the council for its adoption or, in lieu
thereof, for its submission to the voters for their approval.

Name and address

1
2
3
4
5
6
7
8
9
10.....
11.....
12.....

Signature of circulator.....

Subscribed and sworn to before me thisday of, 20.....

(seal) Notary

.....
.....

Appendix "B" Referendum Petition

Proposing to repeal or amend an ordinance to
(stating the purpose of the ordinance,) a copy of which ordinance or
proposed ordinance amendment is hereto attached. This referendum
petition is sponsored by the following eligible voters:
Name and address

- 1
- 2
- 3
- 4
- 5

The undersigned voters petition the council for submission of this
proposal to repeal or amend, to the voters for their approval or
disapproval.
Name and address

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10.....
- 11.....
- 12.....

Signature of circulator.....
Subscribed and sworn to before me thisday of, 20.....
(seal) Notary
.....
.....

Appendix "C" Recall Petition

Proposing the recall of
from the office of.....

Which recall is sought for the reasons set forth in the attached
certificate. This petition is sponsored by the following eligible
voters:

Name and address

1
2
3
4
5

The undersigned voters, understanding the nature of the charges against
the officer herein sought to be recalled, desire the holding of a
recall election for that purpose:

Name and address

1
2
3
4
5
6
7
8
9
10.....
11.....
12.....

Signature of circulator.....

Subscribed and sworn to before me thisday of, 20.....
(seal) Notary

.....
.....